

REMARKS

Claims 1 - 34 are pending in the Application. Claims 1, 17, and 32-33 are currently amended, without acquiescence in cited basis for rejection or prejudice to pursue in a related application. A complete listing of the current pending claims is provided below and supersedes all previous claim listing(s.) No new matter has been added.

I. Objections to the claims

Claims 33-34 stand objected to due to minor informalities. Claims 33 is currently amended. Thus, claims 33-34 are believed to have overcome the objection.

II. Rejection of claims under 35 U.S.C. § 103(a)

Claim 1 - 32 stand rejected under 35 U.S.C. § 103(a) for being unpatentable over U.S. Patent No. 6,598,012 issued on Jul. 22, 2003 to Berry et al. (hereinafter Berry) in view of U.S. Patent No. 5,708,825 issued on Jan. 13, 1998 to Sotomayor (hereinafter Sotomayor.) Applicants respectfully traverse.

A. For claim 1:

Claim 1 recites at least the following claimed limitations which claims 17 and 32 also similarly recite:

receiving a first trace over a network, the first trace associated with a first trace log, in which the *first trace is generated in response to a flow of execution of a software application*;
generating a new version of the first trace in a *markup language syntax in response to the flow of execution of the software application*; and
(emphasis added.)

Applicants first respectfully submit that Berry and Sotomayor, either alone or combined, do not disclose the above claimed limitations.

(i) Applicants further respectfully submit that Berry and Sotomayor do not disclose at least the above claimed limitations of “***generating a new version of the first trace in a markup language syntax based upon an execution flow of the execution entity***”. (Emphasis added.)

Applicants agree with the Examiner that Berry does not disclose the above claimed limitation. Applicants respectfully disagree that Sotomayor does.

Sotomayor discloses a method for scanning documents to identify key topics, creating a summary page, embedding hyperlinks from these summary pages to the presentation pages. Abstract and col. 4, ll. 12-48. That is, Sotomayor identifies some key topics and then creates hyperlinks from a summary page to these key topics. More importantly, Sotomayor creates hyperlinks between the key topics only when “***the same key topic*** appears at several places.” Col. 4, ll. 12-21. That is, Sotomayor creates hyperlinks between the summary pages and the documents containing the key topics of interest. Col. 6, 31-47.

That is, Sotomayor’s hyperlinking between the summary page and the presentation page is **not based upon the execution flow of the execution entity for which the first trace is generated**. Instead, Sotomayor’s hyperlinking is merely based upon the identified key topics and the documents selected by the user both of which have no bearing on the flow of execution of the software in response to which the first trace is generated. Therefore, Applicants respectfully submit that Sotomayor does not disclose at least the above claimed limitations and thus may not be used to preclude the patentability.

(ii) Applicants further respectfully submit that even if Berry and Sotomayor were to be combined, the combined disclosures do not disclose the aforementioned claimed limitations as Sotomayor merely discloses creating hyperlinks in two instances, the first of which being between a summary page of all the identified significant key topics and the presentation page, and the second being **between the key topics only when the key topics are the same**.

To the extent the office action considers Sotomayor’s key topics analogize the traces, Applicants respectfully submit that even if Sotomayor and Berry were to be combined, the combined disclosures create **hyperlinks between Berry’s traces only when these traces are the same**. Where the traces are different, which they should be, the combined disclosures of Berry

and Sotomayor merely create a summary page for the traces Berry identifies, a presentation page containing the information to be convey to the user, and hyperlinks between the summary page to the presentation page. This is, however, not the claimed limitation as the claims specifically recite generating a new version of the first trace in a markup language syntax which is capable of navigating to one or more corresponding second traces.

(iii). Applicants respectfully submit that Berry does not and cannot disclose, teach, or suggest simultaneously analyzing more than one trace logs.

In Berry, the trace information for each process, module, subroutine, method, function, or system component is first stored in the buffer and is subsequently written to “a trace text file” or “a trace file” either when the buffer is full or when tracing is finished. Col. 3, ll. 26 - 28, col. 9, ll. 56 - 58, and col. 10, ll. 41 - 45. To the extent the office action purports that the trace file or trace text file discloses the claimed limitation of “trace logs”, Applicants respectfully submit that Berry does not disclose a first trace log and a second trace log.

Therefore, Applicants respectfully submit that Berry, in order to achieve its intended purpose, does not simultaneously analyze two or more trace logs to identify corresponding traces during parsing.

As such, Applicants respectfully submit that Berry and Sotomayor, either alone or combined, do not disclose at least the above claimed limitations and thus may not be used to preclude the patentability of the above claims under 35 U.S.C. § 103(a).

B. For claim 2:

The Office Action cites to element 614 of Fig. 6 of Berry and concludes that the cited figure / element disclose the claimed limitations. Applicants respectfully disagree.

Fig. 6 of Berry discloses a method of starting tracing by turning on trace hooks (602) and 604), receiving tracing data (606), storing trace data in buffer (608), sending buffer contents to file (612), and then generating a post-processing report (614). Step 614 is merely concerning generating a post-processing report. It shall also be noted that Fig. 6 does not even remotely

imply, much less explicitly disclose, a parsing step. As such, neither **Fig. 6** nor its corresponding text in **col. 11, ll. 18-50** discloses **generating one or more navigation patterns is based upon results of the parsing step.**

Applicants further respectfully note that Applicants have already submitted the above arguments in the previous response. The Final Office Action merely repeats the citation of the rejection without responding or, much less, rebutting the above arguments.

As such, Applicants respectfully submit that the rejection based upon the cited passages and figure is improper.

C. As to claim 11:

The office action cites to Figs. 20A and 22B of Berry and purports that the cited figures and their respective text disclose the claimed limitation of claim 11. Applicants respectfully disagree.

Fig. 20A constitutes a summary of processes for determining how to interpret timestamps generated during a trace and attribute the capture times among routines within execution flows. Col. 22, ll. 21-24.

Fig. 22B and its respective text discloses a process for generating a self-calibrating trace record by performing the following steps – (1) detecting an event to be traced, (2) sending trace information to trace card, (3) making a call to obtain a starting timestamp which is then written to the trace record, (4) writing other information (record length, major code, minor code) to the trace record, (5) making another call to get the ending timestamp which is then written to the trace record, and (6) preparing the trace card to receive more trace information. After these steps, the process of generating a self-calibrating trace record is complete. Col. 24, l. 55-col. 25, l. 11.

These two figures and their respective text are absolutely silent on receiving a search condition for emphasizing a pattern.

As “how to interpret timestamps generated during a trace and attribute the capture times among routines within execution flows” has absolutely no bearing on the aforementioned

claimed limitation, Applicants respectfully submit that Fig. 20A and its respective text do not disclose at least the aforementioned claimed limitation.

Applicants further respectfully submit that making calls to obtain timestamps and recording information into the trace records also have no bearing on the aforementioned claimed limitations and thus Fig. 22B and its respective text may not be used to preclude the patentability of claim 11.

Should the Examiner disagree, Applicants respectfully ask the examiner to kindly point to the pertinent section and rebut Applicants' statements above.

D. As to Claim 13:

The Office Action cites to Figs. 20A and 22B and purports that the above cited figures and their respective text disclose the claimed limitation of "receiving a filter condition for filtering out the trace." What Figs. 20A and 22B disclose is described in great details in the section immediately presented above and will not be repeated here.

Applicants respectfully submit that the cited figures and their respective text are not even remotely related to the claimed limitation of claim 13. Should the examiner disagree, Applicants respectfully ask the examiner to kindly point to the pertinent section and rebut Applicants' statements above.

E. As to claim 17:

Applicants respectfully submit that the cited references do not disclose at least the claimed limitations of "a markup language converter mechanism to convert the first trace into a new version of the first trace in a markup language syntax" of claim 17.

The Final Office Action on p. 4 states that the limitation is not recited in the claims. Applicants respectfully disagree. The "markup language converter" is explicitly recited in claim 17. Applicants respectfully submit that the cited references do not disclose at least the above

claimed limitations. Should the examiner disagree, Applicants respectfully ask the examiner to kindly point to the pertinent sections and rebut Applicants' statements above.

III. Applicants requested no telephonic interview in the previous response

The Final Office Action states on p. 3 that "Applicants request for the interview" Applicants first respectfully submit that Applicants did not request for an interview in the previous response.

Furthermore, Applicants further respectfully submit that the Examiner and his Supervisory Primary Examiner, Ms. W. Zhen explicitly admitted during the telephone interview on May 08, 2006 that the basis for rejection for the claimed limitation of "storing . . . the first trace in computer readable medium, the new version of the first trace capable of navigating to one or more corresponding second traces associated with one or more second trace logs" was improper. Applicants immediately indicated, in response to the explicit admission, the intent to file a notice of appeal yet subsequently complied with the Supervisory Examiner's request to file a formal response to expedite the prosecution. In response, the Examiner maintained the rejection based upon the same cited passages. As such, Applicants respectfully requested the Examiner to reconcile his and his SPE's inconsistent positions during the telephonic interview and in the Final Office Action in the previous response. Applicants did not, however, ask for any further telephonic interview in order to expedite the prosecution.

CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. 50-4047, referencing billing number 7011402001. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. 50-4047, referencing billing number 7011402001.

Respectfully submitted,



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